

REMARKS

The applicants acknowledge, with thanks, receipt of the Advisory action dated July 10, 2006, and completion of the personal interview of May 31, 2006. The discussions therein, along with the Examiner's much appreciated observations and suggestions, are summarized and incorporated herein.

Claims 21-32 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,724,370 to Dutta et al.

During the interview, the Examiner suggested that the claims be amended to clarify several items to distinguish more clearly over the art of record. In accordance with these discussions, amendment to each independent claim has been made. These changes include that the user interface include a plurality of input elements for controlling at least one function of an associated device and that the selection data is received from a subset of the functions wherein such selection data is defined by at least one commonly used function and a most recently invoked function. The amendments also included communicating data representative of the selected subset to the associated device for control thereof.

As noted during the interview, the art of record fails to teach a customizable user interface that includes an ability to allow for access to a subset of available functions in accordance with a most recently used operation or a commonly used operation. This limitation is presented in each of the independent claims, claims 21 and 27.

For this reason, all claims are patentably distinct over the art of record and in condition for allowance thereover.


CONCLUSION

In view of the foregoing, it is respectfully submitted that all instant application patentably distinct over the art of record and in condition for allowance thereof. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner believes there are any further matters, which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned.

If there are any uncovered fees, or any overpayments, necessitated by the foregoing communication, please charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/14868.

Respectfully submitted,
TUCKER ELLIS & WEST LLP

Date: July 26, 2006



Susan L. Mizer
Registration No. 38,245
Customer No. 23380
1150 Huntington Building
925 Euclid Avenue
Cleveland, Ohio 44115-1475
(216) 696-3466 (phone)
(216) 592-5009 (fax)